

Martin, Molly

From: Scott Valor, Director of Gov't Affairs <svalor@santamonicabay.org>
Sent: Monday, December 15, 2014 9:05 AM
To: Martin, Molly
Subject: Re: Copy of EPA report on SMBRC/TBF (Santa Monica Bay National Estuary Program)

Thank you. So far we have received nothing but positive feedback on the letter. Walter's lone cry of concern attempts to magnify itself as speaking for a larger audience, which it does not. Again, it is only a select few individuals who seem to have a problem with our process.

The WAC process is well received by the vast majority of participants who work with us throughout the year and not just at a particular WAC meeting. And that is the key. True "stakeholders" continue open dialogue throughout the year and don't just wait for a single public meeting in which to take pot shots at or raise complaints about the "process."

He merely re-iterates his disappointment at not being granted a working group, etc. It should be obvious by now (as it is to us) that this individual doesn't take "no" for an answer and continues to repeat the same non-concern concerns that are NOT shared by the true stakeholders with whom we work on a daily basis.

He also has no sense of the public safety issue because he was not present at meetings where members of the public approached the chair and said a few choice words or threatened the chair and staff at public comment. He has issued another PRA to us asking for "records" of public safety concerns, but these were all given verbally by the GB members to staff—asking us to "do something" to control the room so that the members could properly deliberate. So, the records we will be producing are the emails requesting a sheriff's deputy as well as the invoices we pay. Just an FYI.

As I mentioned in the past, we used to have a very open process with audience participation at a much more informal level. Sadly, that was abused by a select few and we are where we are today. No one is more disappointed in that than the long-serving staff of the NEP and the long-serving GB members who have seen the change for the worse. We don't do this out of choice.

Scott

From: [Martin, Molly](#)
Sent: Monday, December 15, 2014 08:34
To: [Scott Valor](#)
Subject: FW: Copy of EPA report on SMBRC/TBF (Santa Monica Bay National Estuary Program)

FYI-

Molly Martin

Coastal Watershed Coordinator
U.S. EPA, Region 9



United States Environmental Protection Agency

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From: Walter Lamb [mailto:landtrust@ballona.org]

Sent: Tuesday, December 09, 2014 5:01 PM

To: Ziegler, Sam

Cc: smith.bernice@epa.gov; Diamond, Jane; Best-Wong, Benita; Martin, Molly; Cough, Paul; Campbell, Ann; Kemmerer, John; Mcshane, John; McKee, Jarred

Subject: Re: Copy of EPA report on SMBRC/TBF (Santa Monica Bay National Estuary Program)

Dear Sam,

It appears as though the SMBNEP program evaluation was completed on or before November 25th. I was expecting based on your e-mail below to receive a copy soon after it became available. In any event, the reference to "concerns about public safety" in the *Outreach and Public Involvement* section is an unfortunate attempt to broadly marginalize stakeholders legitimately seeking changes to the way the SMBNEP operates. Missing from the letter, which noted that "stakeholder involvement is at the heart of NEPs planning and implementation," was any acknowledgement that the Bay Foundation, the fiscal agent for the SMBRC, is completely closed to the public, as the Land Trust has indicated on many occasions. The program evaluation "recommends that the SMBNEP continue to use the Watershed Advisory Council meetings as the vehicle for public participation in CCMP and annual workplan implementation oversight." As a member of the Watershed Advisory Council, the Land Trust has gone on record stating that the meetings do not facilitate the level of public involvement envisioned in the SMBRC's governing documents. In fact, when the results of the last WAC meeting were presented to the Governing Board, several members complained that it sounded like a "laundry list" of ideas, and wasn't helpful to the Governing Board. Members of the WAC are provided no opportunity to influence meeting frequency, meeting agendas, or to form Work Groups even though the governing documents identify Work Groups as "as the primary means for members of the Watershed Advisory Council to collaborate on issues of importance."

As you know, the Land Trust began taking an interest in the operating practices of the SMBNEP when the SMBRC became partners with the Annenberg Foundation to pursue a construction proposal in the Ballona Wetlands Ecological Reserve. This proposal was called a "bad fit" by the LA Times and "inappropriate" by the LA Daily News Editorial Boards. It was opposed by every local Audubon chapter and several remote chapters. Endangered Habitats League, US Fish and Wildlife Service and numerous other conservation entities and elected officials expressed serious reservations about the proposal. On December 2nd, the Annenberg Foundation withdrew its proposal after three plus years of time and extensive public resources were diverted from the larger restoration effort. All of this could have been avoided had the SMBRC Governing Board exercised any oversight of the Bay Foundation staff serving dual roles as SMBRC staff with regard to the Annenberg partnership.

In summary, the letter is a significant disappointment, not because it renews the SMBNEP's eligibility for funding, which the Land Trust has never sought to curtail, but because it goes out of its way to gloss over legitimate issues of concern in how the dual management structure of the SMBNEP is limiting stakeholder participation. Our multiple requests to meet in person have all been ignored. Perhaps that is because staff at SMBNEP have convinced you that meeting with us would endanger your personal safety. The Land Trust board of directors has identified the issue of transparency as essential to carrying out our conservation mission and has voted to authorize the use of any legal avenues to affect the needed changes. Just as I was confident that the Land Trust could prevent a wealthy and politically connected heiress from building her long desired "Mayo

clinic for companion animals" in a public ecological reserve, I am confident that these these transparency issues will eventually get the attention they deserve and that the EPA's 2014 program evaluation will be seen to be wholly inadequate as an oversight tool.

Regards,

Walter

Walter Lamb
Ballona Wetlands Land Trust
landtrust@ballona.org | www.ballona.org
310-384-1042

On Thu, Oct 16, 2014 at 4:27 PM, Ziegler, Sam <Ziegler.Sam@epa.gov> wrote:

Walter. The program evaluation is expected to be done any day. Last I checked it was awaiting final signature. If all goes well we should have it in the next week or 2. I plan to email you a copy ASAP.

Sam Ziegler
U.S. EPA
[415-972-3399](tel:415-972-3399)
Sent by mobile

On Oct 16, 2014, at 3:05 PM, "Walter Lamb" <landtrust@ballona.org> wrote:

Hi Sam,

I hope you are doing well. Were you able to finally complete the report on the Santa Monica NEP? Assuming so, please send me a copy along with any related materials you may have collected in the process. I also left you a voice message of the same request.

Thanks,

Walter

Walter Lamb
Ballona Wetlands Land Trust
landtrust@ballona.org | www.ballona.org
[310-384-1042](tel:310-384-1042)

On Fri, Aug 22, 2014 at 12:01 PM, Ziegler, Sam <Ziegler.Sam@epa.gov> wrote:

Hi Walter:

We had indicated that the review of the Santa Monica NEP would likely be completed by the end of August. It is still underway and has yet to be completed. I currently estimate that it will likely be completed sometime in September. We will make it available upon completion. Please check with me again if need be.

Thanks!

Sam Ziegler

Chief, Watersheds Office

U.S. EPA Region 9, Water Division

<image001.png>

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R9 Watershed Priorities at <http://www.epa.gov/region09/water/watershed/index.html>

From: Walter Lamb [mailto:landtrust@ballona.org]

Sent: Friday, August 22, 2014 11:33 AM

To: Ziegler, Sam

Subject: Copy of EPA report on SMBRC/TBF

Hi Sam,

I hope you are well. I believe that you indicated that this report would be completed and released in early August. Could you please send me a copy?

Thanks,

Walter

Walter Lamb

Ballona Wetlands Land Trust

landtrust@ballona.org | www.ballona.org

[310-384-1042](tel:310-384-1042)